

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UMG RECORDINGS, INC, a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware
general partnership; VIRGIN
RECORDS AMERICA, INC, a
California corporation;
ATLANTIC RECORDING CORPORATION,
a Delaware corporation;
INTERSCOPE RECORDS, a
California general partnership;
ELEKTRA ENTERTAINMENT GROUP
INC, a Delaware corporation;
and WARNER BROS RECORDS INC, a
Delaware corporation,

No C 07-03091 VRW

ORDER

Plaintiffs,

v

JOHN DOE,

Defendant.

_____ /

Upon plaintiff's Ex Parte Application for Leave to Take
Immediate Discovery, the Declaration of Carlos Linares, and the
accompanying Memorandum of Law (doc ##4,5), it is hereby:

ORDERED that plaintiffs may serve immediate discovery on
University of California, Santa Cruz ("UC Santa Cruz") to obtain the
identity of defendant John Doe by serving a Rule 45 subpoena that

1 seeks documents that identify defendant John Doe, including the
2 name, current (and permanent) address and telephone number, e-mail
3 address, and Media Access Control ("MAC") address. The disclosure
4 of this information is ordered pursuant to 47 USC § 551(c)(2)(B).

5 IT IS FURTHER ORDERED that any information disclosed to
6 plaintiffs in response to the Rule 45 subpoena may be used by
7 plaintiffs solely for the purpose of protecting plaintiffs' rights
8 under the Copyright Act, 17 USC § 101 et seq.

9 IT IS FURTHER ORDERED that, if and when UC Santa Cruz is
10 served with a subpoena, within five (5) business days thereof it
11 shall give written notice, which can include use of e-mail, to the
12 subscribers whose identities are to be disclosed in response to the
13 subpoena. If UC Santa Cruz, and/or any defendant wishes to move to
14 quash the subpoena, they shall do so before the return date of the
15 subpoena, which shall be twenty-five (25) business days from the
16 date of service.

17 IT IS FURTHER ORDERED that, if and when UC Santa Cruz is
18 served with a subpoena, UC Santa Cruz shall preserve the data and
19 information sought in the subpoena pending resolution of any timely
20 filed motion to quash.

21 IT IS FURTHER ORDERED that counsel for plaintiffs shall
22 provide a copy of this Order to UC Santa Cruz when the subpoena is
23 served.

24
25 IT IS SO ORDERED.

26 

27 VAUGHN R WALKER

28 United States District Chief Judge

United States District Court
For the Northern District of California

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